

IN THE UNITED STATES District Court
FOR THE MIDDLE District of PENNSYLVANIA

JOAN CICCHIELLO
PETITIONER

VS

UNITED STATES OF AMERICA
RESPONDANT

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1:15 CR-00 223
1:21-CR-100-1
CONNER

FILED
HARRISBURG, PA

OCT 26 2022

PER SH
DEPUTY CLERK

MOTION FOR COMPASSIONATE RELEASE
IMMEDIATE RELEASE

AND NOW Comes Petitioner JOAN CICCHIELLO, Pro Se.
STATING THE Following:

PETITIONER WAS PLACED IN DAUPHIN COUNTY
PRISON ON OR ABOUT MAY 5th 2021 BAIL WAS
DENIED FLIGHT/ESCAPE RISK CHARGES THAT LATER
WERE DROPPED BY PROSECUTOR.

BACKGROUND

ON OR ABOUT DECEMBER 5, 2021 PETITIONER WAS
PLACED IN SOLITARY CONFINEMENT FOR 10 DAYS FOR
HOLDING SALT WATER EYE DROPS DAUPHIN COUNTY
PRISON'S COMMISSARY HAD NO EYE DROPS TO PURCHASE.
DAUPHIN COUNTY PRISON MEDICAL STAFF WOULD FORGET
TO BRING EYE DROPS DUE TO THE FACT THAT THEY
WERE TO BE ON PRISON

All other inmates were allowed to keep their eye drops on person or trade 1 eyedrop. used for new one at medication line. Petitioner, on the other hand had to use the entire eye drop at medication line - like a lavage which added to the dryness of the eye.

New Situation at SF Hazelton

Petitioner arrives at SF Hazelton. Petitioner was told to order them from Commissary.

Petitioner is enclosing a Commissary Sheet from SF Hazelton as Exhibit (1)

Petitioner was to Report to medical on/for about September 27, 2022 and never saw her name on the call out. Petitioner was mandated to medical for an EKG and became medically

Distraught in medical where Petitioner voiced her concerns with reference to not seeing sight WLB nor physically feeling well. Petitioner at that time was taken to see the eye doctor who was concurrently on site. Medical thought (my opinion) that I was a "drama queen".

The ophthalmist/optician had me read the eye chart Dilated my pupils etc. Her conclusion was Due to the chronic dryness of my eyes she immediately ordered prednisone ophthalmic Suspension 1% and Erythromycin ophthalmic ointment

See exhibit 2

THE OPHTHALMATIST/OPTICIAN EXPLAINED THAT DUE TO THE CHRONIC DRYNESS AND LATE MY VISION WENT FROM 20/15 BOTH EYES TO 20/60. ALSO MY BODY STARTED TO REFORM CATARACTS OVER MY IMPLANTS AND MY VISION WILL EVENTUALLY CAUSE BLINDNESS IF NOT CORRECTED

History at Dauphin County Prison.

ON OR ABOUT 1/3/2022 PETITIONER WAS TO REPORT FOR HER PLEA HEARING. WHILE AT COURT PETITIONER COLLAPSED DUE TO UNTREATED URINARY TRACT INFECTION AND CONTRACTED COVID WAS QUARANTINED AND THEN PLACED IN CELL #4 ON THE WOMAN UNIT ON OR ABOUT 1/28/2022. FRIDAY

FROM JANUARY 28, 2022 FRIDAY UNTIL APRIL 24 2022 RAW SEWAGE SEEPED FROM THE BASE OF THE TOILET. AT THAT TIME PETITIONER WAS PLACED IN THE DAY ROOM. ON FRIDAY APRIL 29, 2022 ASSISTANT WARDEN AND MS. BROWN FROM THE PRISON SOCIETY CAME ON THE UNIT AND NOTICED A BLANKET IN FRONT OF CELL #4. BOTH THE ASSISTANT WARDEN PREEE AND MS BROWN WENT TO THE DOOR ON CELL #4 AND VIEWED THE CELL. CELL #3 FLUSHED THEIR TOILET AT THAT VERY MOMENT. RAW SEWAGE POURED INTO CELL #4 AND RAN UNDER THE DOOR, UNDER THE BLANKET AND INTO THE DAY ROOM WHERE THEY BOTH WERE STANDING. I APPROACHED

THE Deputy WARDEN AND Mrs Brown AND TOLD them that I LIVED IN THAT CELL for 4 months. Petitioner handed Mrs Brown A copy of the Letter to the WARDEN. - THE Letter to the WARDEN WAS WRITTEN March 2022 AND Sent Not only to the WARDEN, Prison Society AND my Lawyer. PETITIONER WAS IN CELL #4 twenty Four (24) hours A DAY, Seven (7) day A week, AND Allowed out of Cell #4 only for (5) fifteen minutes Showers. Petitioner HAD to CLEAN Cell #4 using Petitioner's Personal wash cloths AND towels. Petitioner WAS Denied Disinfectants, gloves AND/or ANY protective gear.

Medical AND Staff would make Comments Such as "We Don't CHARGE EXTRA For Free water on the Floor" "Where Can You have a Natural Stream in Your Room" - I would tell Medical I Suffered From Dysentery, NAUSEA, Vomiting, Poor Appetite Weight Loss, Dizziness Lightheadedness etc. My Complaints fell on Deaf ears My weight went as low as 102 lbs - PETITIONER ENTERED Dauphin County Prison weighing 148 lbs

When Petitioner Left Dauphin County Prison ON OR ABOUT July 29, 2022. the toilet in Cell #4 WAS Not ABle to Last without CRACKING for. (7) Seven day Due to the Pressure, Gas AND BACK Wash From Raw Sewage, So I left DCP with NO Toilet in Room #4

New Situation - SFF Hazelton.

Petitioner Joan Cicchiello ARRIVES AT SFF Hazelton ON OR ABOUT August 24, 2022 AND I, PETITIONER IS IMMEDIATELY PLACED IN SOLITARY CONFINEMENT. SFF Hazelton Calls it the "SHU" Segregated Housing Unit. SEE Exhibit 3. Exhibit 4. DEMONSTRATE THAT MY ADMINISTRATIVE Remedy WAS RETURNED AND Counselor Slinka Refuse TO ALLOW Petitioner TO HAVE BP #10

SOLITARY CONFINEMENT DUE TO NO ROOM ON General Compound. PETITIONER WAS GIVEN Rules. FOR the SHU - PETITIONER WAS DENIED Phone calls TO Family OR FRIENDS. NO YARD TIME NO COMMISSARY, BASIC Hygiene. ONCE AGAIN PETITIONER WAS Locked Down (24) twenty-four hours A DAY (7) Seven DAYS A Week with A Shower. in the Cell.

New Situation - SFF Hazelton - General Population
PETITIONER WAS PLACED in K1 Cell 127 Bottom tier top Bunk. PETITIONER Slept on the Floor AND THEN Saw Counselor Slinka the next DAY.

PETITIONER WAS THEN PLACED top tier Bottom Bunk in Room 221. WHERE THE toilet is Broken AND LEAKS Raw Sewage.

SEE Exhibit 5.

Answer: WORK ORDER Submitted 9/26/2022
PETITIONER Continues with dysentery Nausea Vomiting
Lack of Appetite Weight Loss.

DUE PROCESS
FEDERAL BUREAU OF PRISONS UNLAWFULLY COMPUTED
MY SENTENCE.

ON September 24, 2022, Petitioner Had A TEAM
Meeting. Petitioner's Projected Release Date IS
7/11/2024 See exhibit 6. Page 1

Petitioner WAS UNABLE TO COMPREHEND
7/11/2024 - MAX DATE SHOULD HAVE BEEN 5/9/2024

Petitioner ASKED FOR A Calculation OF SENTENCES

SEE SEVEN 7 Exhibit

Calculation of 1:15 CR 0023 72 months
to SERVE. Page 1. Exhibit 7

Calculation to SERVE. 06:29-2022 15 months.
Exhibit 7 Page 2.

AGGREGATED SENTENCES.
TERMIN EFFECT

87 months.

Exhibit 7 Page 3

17 YEARS 3 months

SUPERVISION 3 YEARS.

Full term Sentence = 8/06/2025
Exhibit 7 Page 3

NO TIME SERVED.

FOR JUDGE CONNER AND PETITIONER PUBLIC DEFENDER.
FOR HOW HARD THEY TRIED TO WORK THE ORDER
OF COURT IT DID NOT MATTER TO BOP

COMPASSIONATE RELEASE IMMEDIATE RELEASE

AS AMENDED BY THE FIRST STEP ACT, THE COMPASSIONATE RELEASE STATUS ALLOW COURTS TO REDUCE SENTENCES - INCLUDING MANDATORY MINIMUMS - FOR "EXTRAORDINARY AND COMPELLING" REASONS ONCE AN INDIVIDUAL HAS UNSUCCESSFULLY SOUGHT RELEASE WITHIN THE BUREAU OF PRISONS (BOP) UNITED STATES V. OWENS 996 F.3d 755 762 (6th C.I. 2021) (A MANDATORY MINIMUM SENTENCE CAN BE REDUCED VIA COMPASSIONATE RELEASE) EXHIBIT 8.

REQUEST FOR REDUCTION IN SENTENCE FORM
I SUBMITTED A REDUCTION IN SENTENCE FORM FOR BOP POLICY. BOP TO DATE AT SFF HAZLETON HAS DENIED EACH AND EVERY REDUCTION IN SENTENCE (RIS) PETITIONER'S FORM WAS SUBMITTED 10/08/2022
SEE EXHIBIT 9

PETITIONER DENIED THE FIRST STEP ACT.
SECTION 2018 SECTION 404B

SEE EXHIBIT 7. FSA ELIGIBILITY STATUS IS =
INELIGIBLE
FOR EXHIBIT 6. PENDING CHARGES

PENDING CHARGES - Exhibit 6

17 FOR JULY TAMPER W/ PUBLIC RECORDS - THEFT
WARRANT ISSUED 11/2017, Sunbury, PA

MJ 08304 CR 389217

FOR Petitioner's PRESENTENCING INFORMATION
Petitioner has NO outstanding anything
Petitioner was NOTIFIED THAT AS LONG AS THIS
IS IN PLACE there will be NO First Step Act
Credits
See Exhibit 6 Page 3

SUMMARY

- Petitioner is Requesting Compassionate Release
RIS.
- Petitioner is Requesting Computation of
Sentence Requested
- Petitioner is Requesting All First Step Act
Credits under Section 404B
- Petitioner is Filing this under 42 USC 1983
18 USC 241 18 USC 242
- Petitioner is Filing this under the Following
Amendments: Amendment VIII
Amendment XIV
Amendment I
- Deliberate Indifference
- Failure to Protect
- Negligence
- CARE Custody Control

WHEREFORE PETITIONER IS REQUESTING
IMMEDIATE RELEASE DUE TO
ABOVE SUMMARY^{AND} FACTS THAT ARE
NOT DISPUTED.

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "J. M. [unclear]", written below the phrase "Respectfully Submitted".

⇒72896-067⇒

Joan Cicchiello
PO BOX 3000
Bruceton Mills, WV 26525
United States

PITTSBURGH PA

24 OCT 2022 PM



RECEIVED
HARRISBURG, PA

OCT 26 2022

PER

DEPUTY CLERK

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